THE HONOURABLE SRI JUSTICE G. CHANDRAIAH

W.P. No.6777 of 2003

ORDER:

This writ petition has been filed seeking writ of *Mandamus* declaring the action of the respondent in rejecting the applications of the petitioners, for registration of Seven Seaters Auto Rickshaws bearing Chassis No.T05071263A02 and Engine No.B12034610, Chasis No.T05085881K02 and Engine No.D12049154 and Chasis No.T05093996A03 and Engine No.D12057537 vide proceedings dated 19-12-2002 as illegal, arbitrary and unconstitutional and consequently to direct the respondent to register the petitioners Auto Rickshaws.

The case of the petitioners is that they filed applications for permanent registration along with necessary documents and said vehicles were inspected by the concerned Motor Vehicle Inspector and compliance of fitness certificate was also issued.

It is submitted that the respondent had passed rejection orders rejecting the applications of the petitioners, for registration of their vehicles, vide proceedings dated 19-12-2002 stating that keeping in view of the representation of the Auto Drivers Association, Kadapa and the Traffic congestion etc., the Regional Transport Authority, Kadapa has taken a decision at its meeting held on

20-03-2002 to stop further registration of Seven Seaters Auto Reickshows and the decision was also published in news paper. Said proceedings have been challenged in the present writ petition.

This Court on 25-04-2003 while issuing "Rule Nisi" passed interim order in WPMP No.8828 of 2003 thus:

"Prima facie, the reasons stated in the proceedings dated 19-12-2002 in refusing the

request of the petitioners for registration of the vehicles do not conform to the provisions of the Motor Vehicles Act and the Rules made there under. Hence there shall be interim direction to the respondent to register the vehicle of the petitioners, if the petitioners comply with the other requirements under law. The plying of the vehicles by the petitioner on such registration would be subject to such restrictions as may be imposed in the permit."

Learned Government Pleader for Transport submits that in view of the interim direction dated 25-04-2003, no further orders are required to be passed in the writ petition.

In view of the submission made by the learned Government Pleader for Transport, interim direction dated 25-04-2003 has been made as a final order.

Accordingly, the Writ Petition is disposed of in terms of the interim order dated 25-04-2003. No separate order as to costs.

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JUSTICE G. CHANDRAIAH

Date: 12-07-2006
LSK